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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,
v.
BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,
Defendant.

In re:

BERNARD L. MADOFF,
Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,
v.
MANDELL & BLAU, M.D.'s, P.C. 401(K)
PROFIT SHARING PLAN; JEFFREY S. BLAU,
in his capacity as Trustee of the Mandell & Blau,
M.D.'s, P.C. 401(K) Profit Sharing Plan; NEAL D.
BARKOFF, in his capacity as Trustee of the
Mandell & Blau, M.D.'s, P.C. 401(K) Profit
Sharing Plan; JULIE S. GERSHON, in her capacity

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05156 (SMB)

as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; RICHARD GLISSON, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; HENRY JANSSEN, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; ALISA SIEGFELD, in her capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; M. LEE WALLACE, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; and JEAN WIEGERT, in her capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan,

Defendants.

**STIPULATION FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff individually, by and through his counsel, Baker & Hostetler LLP, and defendants Mandell & Blau M.D.'s P.C. 401(k) Profit Sharing Plan; Jeffrey S. Blau, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; Neal D. Barkoff, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; Julie S. Gershon, in her capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; Richard Glisson, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; Henry Janssen, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; Alisa Siegfeld, in her capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; M. Lee Wallace, in his capacity as Trustee of the Mandell & Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan; and Jean Wiegert, in her capacity as Trustee of the Mandell &

Blau, M.D.'s, P.C. 401(K) Profit Sharing Plan ("Defendants"), by and through their counsel, Shipman & Goodwin, LLP (collectively, the "Parties"), hereby stipulate and agree to the following:

1. On December 3, 2010, the Trustee filed and served the Complaint against Defendants. Subsequently, the Trustee filed and served its Amended Complaint on January 3, 2012.
2. On December 13, 2011, Defendants served an answer on the Trustee's original Complaint; and on February 2, 2012, Defendants served an answer on the Trustee's Amended Complaint.
3. On October 20, 2014 the Parties entered into a settlement agreement pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181].
4. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee's claims against Defendants in the above-captioned adversary proceeding and dismissing the adversary proceeding.
5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.
6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: New York, New York
October 30, 2014

Of Counsel:

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Liquidation of Bernard L. Madoff Investment
Securities LLC and the Estate of Bernard L.
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